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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT TACOMA

8 CHARLES VINCENT REED,
9 Plaintiff,
10 v.
11 MICHAEL HUGHES,
12 Defendant.

Case No. C09-5677BHS

ORDER ADOPTING REPORT
AND RECOMMENDATION

13 This matter comes before the Court on the Report and Recommendation (“R&R”) of
14 the Honorable J. Richard Creatura, United States Magistrate Judge (Dkt. 59) and Plaintiff
15 Charles Vincent Reed’s (“Reed”) objections to the R&R (Dkt. 60). The Court has
16 considered the R&R, Reed’s objections, and the remaining record, and hereby adopts the
17 R&R for the reasons stated herein.

18 On January 3, 2011, Reed filed a motion for temporary restraining order and
19 preliminary injunction. Dkt. 50. On February 11, 2011, the magistrate judge issued the
20 R&R recommending that Reed’s motion be denied because he did not show irreparable
21 injury or that any party in the current action is in any connected to the issues on which he
22 based his motion. Dkt. 59. On February 25, 2011, Reed filed objections to the R&R. Dkt.
23 60. In his objections, Reed argues that although Michael Hughes, the only remaining
24 defendant in the current action, is not directly involved with the issues for which Reed seeks
25 injunctive relief, because Hughes is an employee of the Department of Corrections (“DOC”)

1 and other employees of the DOC are responsible for the “retaliation” he seeks to enjoin, the
2 magistrate judge erred in denying his motion. *Id.*

3 Having considered Reed’s objections and the R&R, the Court concludes that the
4 magistrate judge correctly held that Reed has failed to show irreparable injury resulting from
5 actions taken on the part of, or in active concert or participation with, any person or entity
6 that the Court has jurisdiction to enjoin as part of this action. *See* Fed. R. Civ. P. 65(d)(2)

7 Therefore, the Court hereby **ADOPTS** the R&R (Dkt. 59).

8 DATED this 12th day of April, 2011.



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10 BENJAMIN H. SETTLE
11 United States District Judge
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